

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

RENEE BARNAUSKAS,

Plaintiff,

v.

MERCHANTS & MEDICAL CREDIT  
CORPORATION, INC.,

Defendants.

**NOTICE OF REMOVAL**

Defendant, Merchants & Medical Credit Corporation, Inc. (“MMCC”), hereby gives notice of removal of this action from the Lackawanna County Court of Common Pleas located in Scranton, Pennsylvania to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. §§ 1331, 1441 and 1446. In support thereof, MMCC states:

1. On or about March 1, 2018, Plaintiff Renee Barauskas (“Plaintiff”) filed the above captioned civil action in the Lackawanna County Court of Common Pleas, Pennsylvania.
2. MMCC was served with the Complaint on March 6, 2018. Accordingly, this Notice of Removal has been timely filed pursuant to 28 U.S.C. § 1446(b).
3. This matter is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be properly removed pursuant to 28 U.S.C. §§ 1441 and 1446, as the claims asserted in the Complaint arise under the laws of the United States and raise one or more federal questions.
4. Plaintiff’s complaint purports to assert violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*
5. The district courts of the United States have original jurisdiction in civil actions

arising under the FDCPA.

7. MMCC removes this action to the United States District Court for the Middle District of Pennsylvania because it is the venue that encompasses Lackawanna County, Pennsylvania. MMCC removes this action without prejudice to MMCC's right to seek transfer of this action pursuant to 28 U.S.C. § 1404, if and as appropriate.

8. True and correct copies of the following are attached to this Notice of Removal:

- (a) all process, pleadings and orders which have been served upon MMCC in this action are attached hereto as **Exhibit A** in accordance with 28 U.S.C. § 1446(a) and this Court's ECF guidelines; and
- (b) the Notice of Filing of Notice of Removal which has been served upon Plaintiff and filed with the Clerk of Court for the Lackawanna County Court of Common Pleas is attached hereto as **Exhibit B** in accordance with 28 U.S.C. § 1446(d).

9. Based upon the foregoing, this action is properly removed on the basis of federal question jurisdiction pursuant to 28 U.S.C. §§ 1331, 1441 and 1446.

WHEREFORE, Defendant Merchants & Medical Credit Corporation, Inc. requests that this action proceed in the United States District Court for the Middle District of Pennsylvania.

Respectfully Submitted,

/s/Charity A. Olson  
Charity A. Olson (P68295)  
**BROCK & SCOTT, PLLC**  
2723 S. State St. Ste. 150  
Ann Arbor, MI 48104  
(734) 222-5179  
[Charity.Olson@brockandscott.com](mailto:Charity.Olson@brockandscott.com)

Dated: March 23, 2018

**CERTIFICATE OF SERVICE**

I, Charity A. Olson, hereby certify that on March 23, 2018, a copy of the foregoing Notice of Removal was filed via the Court's ECF system and served upon the following parties as follows:

via FedEx Standard Overnight:

Lackawanna County Courthouse  
Civil Clerk  
200 N. Washington Ave.  
Scranton, PA 18503

via U.S. First Class Mail:

Carlo Sabatini  
Sabatini Freeman, LLC  
216 N. Blakely St.  
Dunmore, PA 18512

/s/Charity A. Olson  
Charity A. Olson (P68295)  
**BROCK & SCOTT, PLLC**